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Attorneys for Defendant
Mr. Garcia

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Case No. 2:20-cr-00181-JAM-1
Plaintiff,)
vs.) STIPULATION AND ORDER TO CONTINUE
) CHANGE OF PLEA HEARING AND EXCLUDE
) TIME
MICHAEL GARCIA.)
Defendants.) Date: November 12, 2024
) Time: 9:00 a.m.
) Judge: Hon. John A. Mendez

IT IS HEREBY STIPULATED and agreed by and between United States Attorney Phillip A. Talbert, through Assistant United States Attorney Adrian Kinsella, counsel for Plaintiff; and Federal Defender Heather Williams, through Assistant Federal Defender Hootan Baigmohammadi, counsel for Defendant Michael Garcia that the Change of Plea hearing currently set for November 12, 2024, at 9:00 be continued to **December 17, 2024, at 9:00 a.m.**

The parties specifically stipulate as follows:

1. By previous order, this matter was set for a Change of Plea hearing on November 12, 2024, at 9:00 a.m.
2. Mr. Garcia is prepared to enter an open guilty plea to the Indictment, however the parties are working through issues with the factual basis.
3. Mr. Garcia believes that failure to grant the requested continuance would deny him the reasonable time necessary for effective preparation, considering the

1 exercise of due diligence.

2 4. The government does not object to the continuance.

3 5. For the purpose of computing time under 18 U.S.C. § 3161 *et seq.* (Speedy Trial
4 Act), the parties request that the time period between November 12, 2024 and
5 December 17, 2024, inclusive, be deemed excludable pursuant to 18 U.S.C. §
6 3161(h)(7)(B)(iv) (Local Code T4), because it would result from a continuance
7 granted by the Court at the defense's request, based on a finding that the ends of
8 justice served by granting the continuance outweighs the best interest of the
9 public and in a speedy trial.

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11 Respectfully submitted,

12 HEATHER E. WILLIAMS
13 Federal Defender

14 Date: November 6, 2024

/s/ Hootan Baigmohammadi
HOOTAN BAIGMOHAMMADI
Assistant Federal Defender
Attorneys for Mr. Garcia

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17
18 Date: November 6, 2024

PHILLIP A. TALBERT
United States Attorney

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20 /s/ Adrian Kinsella
21 Adrian Kinsella
22 Assistant United States Attorney
23 Attorneys for Plaintiff
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ORDER

The Court, having received and considered the parties' stipulation, and good cause appearing therefrom, **ADOPTS** the parties' stipulation in its entirety as its order.

IT IS SO ORDERED.

Dated: November 06, 2024

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE